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THE ADVOCATE
OF
THE PEOPLE'S RIGHTS.

(Vol. I.) BRAZORIA, SATURDAY, FEBRUARY 22, 1834. (No. 8.)

THE ADVOCATE
OF THE
PEOPLE'S RIGHTS,
EDITED AND PUBLISHED BY
OLIVER H. ALLEN.

☞ *TERMS.*—Five Dollars per annum, in advance.

☞ Advertisement inserted for $1 for eight lines for the first time, and fifty cents for each subsequent insertion. Longer ones in proportion.

[From the New-York Courier and Enquirer.]

For Mr. Kernal Web of the York Curner—

What d'ye think! That air peaky letter o' mine 't somebody hooked out o' the saddlebags, an' give to you to print; he never found it in the road sense he was born inter the world; jest as if such a letter as that could a ben drapped by accident; I know better; wal, the jinral he took a miff agin me on account ont, and not more'n five minutes ago, says he to me, major! Wal says I jinral what now? Major! says he agin, making believe he was looking tother way; I've been a thinkin that you hadn't ought to have sich an everlasting load o'keer on your shoulders; maybe you'd like to travel a while for your health? Jess so! What! says I; and then I stopped short an' considerin' how it might eend if I didnt take plaguey good care o' this eternal pluck o' mine before it byled over. I put a good natured face on the matter, and told him I was much obleeged to him, but hadnt any occasion, jest as much obleeged to him tho as if I had. With that he offs with his spectacles and wipes them all over inside an' out, and arter waitin as much as two minutes to get his breath; hadn' ye better tho? says he. Thinks I to myself not by two chalks! yourn not a gwyin to get rid o' me so easy; an' then I up an' said as much, right to his head; Andrew, says I, I'm the last true frind yove gut on this airth; an' I wunt travel, nor touch to—so there! So, upon that. up jumps the jinral, with his hair all standin right in eend, and smash went the spectacles right inter the fire-place. Major Jack Downing says he, do you want your hide stripped over your ears and slyvered into razor strops? jess so! Not by a jugfull! says I, standin right up to him, as stiff as a mitin and lookin him right in the eye; let him try it that likes, jinral, says I: I want brung up in the woods to be skeered by an owl. What do you mean by that! saye he, you d——d eternal old Yankee you! says he. Cum, cum, jinral, says I, you haint got Mr. Secretary Duane to deal with, I tell you; and I shant stir a step, till I see fit. Pretty feller for a President! aint ye: turnin off first one old frind and then another, and swearin like a trooper just because they gut honesty enough to tell the truth; haint forgut how you behaved to major Noah, one the truest frinds you ever had; wurth all the rest of em put togather; all honey and hug tuther day, an' now, jest because he wunt see you makin' a fool of yourself, you are forever an' eternally growlin about him. Tell you what tis, jinral, says I, if you go on this way much longer, I mean to have a guardian appynt for you. Want me to travel do ye? No, no, Andrew, I'm a leetle too old for that now; an' besides, if I was ugly enough to take up with your offer, what would become o' you? I haint forgut Jn. Randolp; there was another true frind: yourn jest so long as you let him have his own way: and how did you serve him? I know, an' that's enough says he. That's jess like you, says I; I'll leave it to any body that knows you i taint. But I'll tell you what I will do, says I; I'll split the difference with you. I don't understand you say he; what the hell do you mean? Why! President Andrew, says I, according to my idee it dont become the ruler of a religious and moral people to swer them sort o' oaths out loud; but what I meant wo that I'd meet you half way. Fire an' fury sir! wh do you mean by that? says he, beginnin' to look pety pokerish. I tell you. Why, says I, though I cant travel much I'll send my neephew on your account if you'll shell out handsum. What kind of a feller [illegible] says he. What kind of a feller [illegible] such a [illegible] you [illegible] sh[illegible] you [illegible] tricks all sorts o' languages an every body else; think nothin o' walopin half a dozen sich fellers as that air particular frind of yourn twanted to fight me tother day—clear gut I tell you—fight any body with any thing—write a book a day, an talk a whool arternoon together upon the stretch without stoppin to wipe his mouth.—You dont say so! says the jinral, says he. Yes but I do though. Well then Major, says he give us your fist—I believe upon my soul you're a true frind o' mine arter all, and if you'll jist promise to do one thing, I'll send your neephw to Downing street right away, and he shall make a book for us about England, to see if he cant match them air fellers that cum here. To Downing street, says I,—where's that? Why, over to London, says he! Wal—if ever! says I—you aint in airnest though, says I—taint possible there's a street over at London named arter me, is there?—Yes, but there is though, and there's the proof—and then he lugs out a thundering great letter, as long as your arm, with more pages to it than there is hairs on a bull's tail—and there it was sure enough, 'Downing street.' That's enough, says I—here goes! Andrew, but what do you want me to do for it?—I want you to have a tussel with that everlasting Tom Boone that sent you a challenge in the papers—a raal knock down an drag out, says he—Dot an carry one?—says I. Jest as you like says he, lookin as feerce as nine and twenty bed bugs—I aint at all particular, when my personal frinds want a blow up Jinral says I—I know what you're arter I can see through you now jist as easy—you know that one or tother must lick, and you dont care a pin which, so't you get rid of another true frind. That's nyther here nor there, Major, says he—will you fight him? Why——as to that now, says I—YES, if you'll be my second, and let me choose my weepons. Done! says he—set right down here and give it to him about right. And so down I sot—and here tis.

(Confidenshal.)

To Thomas Boon, Esquire.

WASHINGTON, October 7, 1833.

~~I say—you—mister! I'm your man, and the sooner the better.~~ Arrangements will be made by my frind, Andrew Jackson, Esquire, &c. &c. &c.—only I resarve to myself the choice of weepons.

Your respected friend,
JOHN DOWNING, Esquire.

P. S. I mean to use a flail, and you may use what you like.

WASHINGTON October eigth 1833th.

I tell you what tis, neighbor Webb—I don't think I shall stay here much longer. More pigs than tits by a darned sight. Aint an hour o' my life that they don't rule me about somethin or nother, till I sit as ructious as any thing, and then I have to go without my dinner as naitral as can be. It's more'n a month now that I've had to sleep with one eye open, and I've gut jest as thin as a lathe holdin on my trowsers at the ginral's jokes; for when that air Amos is out o' the way I have to do all the laughin 'ts done in the house, Why, no longer ago than tother day we had no less than two vakancies, and now there's more'n five and forty fellers apiece arter 'em—all the stages cum full, crammed inside an' out—keeps the ginral ready to split all the time; and as for me, I'm more'n half tired to death tryin to keep up with him. An I don't say which half nyther—sometimes it's my head half and sometimes taint. An what's more'n all that comes to, they begin to call me a *disappointed* man, and to tell you the truth neighbor, I guess thevre more'n half right. Fact is, the ginral and I's been tryin to git religion these two years—it would do your heart good to hear him rip and swear sometimes at the opposition he meets with—wall, we both started together. it was jist arter all the women here set their faces agin the government, and would have their own way though they died for it—all naitral enough, to be sure. But I told the jinral at the time, jinral, says I—it's the wimmen folks that'll save this country arter all—*if [illegible]*—just so! Wal. darn me! say the jinral—and he swore another most an awful oath, enough to make yer hair stand up in eend—darn me, if I don't think so! I can git along well enough with their husbands, but as for them, you might as well attempt to clear a field o' grasshoppers with a coach whip—just so! an then I had to make believe laugh a [illegible]—I know what he [illegible] and I'd up and told him so, if I hadn't [illegible] that cunnin old fox, Van Bu— I don't like to say out his whool name right out, bead [illegible] but you know who tis I mean. Wal, and so, the jinral and I, we started jist about the same, as I said afore, to git religion, but some how or other, it always seemed to me I gut along a leetle faster than he did, though I din'nt make setch a towse about it. He's ben under consarn most a year now, ever sense he begun to talk about the bank in his sleep, and I'am darn'd if I don't think he'd ben a straddle o' the anxious seat long afore now, if't had'nt ben for the races. So much for that air everlastin Amos—he's gut the jinral completely under his thumb, and I have to hold in every two or three days for him to overtake me; the old sinner as he calls himself arter that there meachin teller's had a settin with him. But maybe you haint heard tell about the races! Wal then, I'll tell you; and you may depend upon every word ont: but you must'nt let it go no further. Wal, the old Roman wanted to go to the races, and I would'nt let him; tried ever so hard to persuade him to stay at home on account of his health; but nothing would do; go he must and go he would, and when he gut there, what d'ye think he did? Why Lord you! if he did'nt ride about the field, flourishing a whip over his head and singin out to his frinds—Bate! Bate! why the hell dont you bate! Bate un $2500, an setch and setch a hoss Donaldson! What a' ye afeard on; I'll *give ye the money!* Fact; I vow; I heard him say so; and says I to him, why! ANDREW! aint you ashamed o' yourself; git out o' the way, says the jinral. Says I—and if I did'nt git out o' the way about the quickest! great mind never to speak to him agin, without it is to say, look out neighbor, you may find yourself mistaken one o' these days; your poplarity won't stand every thing; if it will, I miss my gess; you'll be crawling out o' the leetle eend o' the horn yet; if you dont git religion or let Amos or me git it for you. Jess so!

With sentiments of the highest consideration,
I remain sir your respected frind,
DOWNING &c. &c. &c.

P. S.—Butter my hide if I do stay! Why what do you think! sich a to do! Tawney come in jest now, and says he to the jinral, says he: there's a list o' the banks we've agreed upon. *We!* says the jinral—who's WE? Why, Kendall and I, says Tawney says he; we've consulted together, and agreed upon these ere. Oh, you have, have you? says the Old Roman, *that's right.* Now I'll be skinned if that aint a solumn fact; never consulted me nor the rest of the cabinet. No, no! I've made up my mind now; I mean to let the government, or what's the same thing, the Old Roman, go to the bags his own way.

LUNAR PHENOMENON.—The following very remarkable celestial phenomenon is mentioned in one of the western papers, and we copy it principally for the benefit of the almanac makers in Connecticut, where they pay particular attention to the phases of the great nocturnal luminary; all of which are rigorously believed to have very potent influence in matters pertaining to the science of pork killing, and the proper fructification of turnip seed.

The editor of a paper called the "New Moon," printed at Monroe, La. having published some article obnoxious to the censures, just or unjust, of certain recipients of his moonshine aforesaid—that is to say, some of the readers and "patrons" of the *New Moon* having taken in dudgeon a ray of his moonlight, during his first quarter, two or three individuals assembled, and not only shot muskets at the man in the moon, but they actually put the poor devil in prison for thirty days, and by the way, they must have had dark times of it during such a lengthen lunar obumbration. If we were that same moon we would CHANGE at once, and SHINE no more in that quarter. Such barbarians ought to go to bed hereafter in the dark.—Their deeds are evil. [illegible] it is presumed therefore, that darkness is natural to them; but, however this may be, they deserve eternal obfuscation, and if we had the regulation of their destiny, they should never again have even the illumination of a lightning bug.—Cour. & Enq.

A man has lately invented a new variety of suicide in Paris. He attached an enormous cracker to his body and blew himself up.

THE ADVOCATE.

BRAZORIA, SATURDAY, FEBRUARY 22, 1834.

TO THE CITIZENS OF TEXAS.

Fellow-Citizens:—At a time when I thought the only press in Texas was muzzled, owned, supported by, and devoted to the interests of a few; and not accessible to all; when I saw a party in power, whose views were altogether sordid, and who seemed determined to oppress you; when I saw the timid & sycophantic yielding to that oppression; & the uncourageous afraid openly to oppose it:—I proposed —with no view to pecuniary gain, and at a great sacrifice of feeling—to publish a paper advocating *your rights and your interests*, "at all hazards, and under all circumstances." As the press is no longer muzzled; and as the party no longer exists; "cesante causa cessat effectus"—I decline publishing a paper; nevertheless, I thank you for the flattering encouragement you gave me; and I promise you, that whenever occasion shall require it, I will come forward, in despite of pecuniary loss, sacrifice of feeling, nay of life itself, an advocate, aye and a bold one too, in the public cause. The press is at present unbiassed, unawed, open to you all; and I call upon you to support it. A press so conducted is necessary to the public welfare; there should be a public channel to express our views on matters of public concern; without one, we are liable to be deceived and imposed on. Since the decease of the Editor of the Constitutional Advocate, five individuals have come forward and claimed *that press*, as proprietors, and have endeavoured to establish their claim by a suit at law. I do not mention this with a view to injure the individuals alluded to, (some of them are my friends) but in order to show you that a press devoted to the public cause, must have the public support; and if the public refuse their support, individuals will be found to sustain it, and keep it subservient to their purposes.

—— JOHN A. WHARTON.

"What startles the tyrant from his dreams of power, and wakes the slumbering genius of an oppressed people? What heaves the thrones and crumbles the diadems of Europe? What piles to the clouds the majestic columns of our national glory, and shields with the ægis of Heaven, our dearest repub- [illegible] papers.

"Quos Deus vult perdere prius dementat."

Whom the Gods wish to destroy, they first make mad.

The truth of the above quotation has often been strikingly illustrated; perhaps never more forcibly than in the present instance —Stephen F. Austin, our messenger to the City of Mexico, who has lately flooded the Ayuntamientos of Texas with disorganizing letters, has been arrested in Saltillo, on a charge of High Treason, and sent back to the City of Mexico. I wish Col. Austin no harm, but I do most sincerely hope that the Mexicans will hold on to him until he undergoes a radical change, and seriously repents having given the good people of Texas such damnable advice as is contained in his letters to the ayuntamientos. Colonel Austin sought the office which he now fills, and proffered to bear his own expenses, if the Covention would elect him—when, at the same time, he knew that a large majority of the people had no confidence in him as a man, and still less in the sincerity and candor of his professions, as regarded the question about which he has been so mad, and clamarous;—and under all the circumstances, I consider he is more deserving censure for his folly, than pity for his misfortunes. If the "quo animo" is to be thrown out of the question, and the enormity of his crime is to be estimated by the actual amount of harm he has caused, and the punishment be proportioned to the evil—the Col. will, most certainly, like Falstaff in London, "scape shot free"—for I do most solemnly assure the Mexicans, that no harm has been produced by his letters, or none likely to ensue. The most of us are diametrically opposed to the course recommended by him; some do not believe in his sincerity, and others disregard it altogether.

After all, it may be but a mere "ruse de guerre," designed to operate on our sympathies;—of one thing I am certain the Colonel is in no actual danger, and I will venture to predict that, in less than two months, he is with us, operating all that he can, by recounting "his disastrous chances; his moving accidents, by flood and field; his hair-breadth scapes, his being taken by the insolent foe and sold to slavery, &c."

I am much pleased with the ideas and arguments advanced in the late address of our present Ayuntamiento to the Ayuntamientos of Texas. That temperate and logical document clearly evinced, that the municipal authorities of this jurisdiction were not impelled by the fervor of their enthusiasm, to give such advice as would, if followed, involve us in interminable difficulties. There is one topic, however, namely, our unprepared condition for war at the present moment, on which they did not dilate as much as its importance would justify. On this topic I offer a few remarks. In doing so, I profess myself actuated by a fervent desire to promote, as far as possible, a perfect coincidence of sentiment among all the intelligent and honest disposed of the country on this all absorbing subject. We are few and weak enough, God knows, when united, and will be contemptible indeed when divided. My remarks, although intended to augment and perpetuate the common good of our common country, and although rigidly founded in truth and experience, I know will prove unpalatable to some, and humiliating to the vanity, the arrogance, and the preconceived opinions of others. But truth, as has been well said, though not always palatable, is always wholesome, and a people ought to be gratified for the intelligence which detects, and the skill which remedies their diseases, even if the medicine should be bitter and the operation painful. I suppose that, after the unanswerable argument in the address of our Ayuntamiento, it will be conceded on all hands, that organization, without the consent of the general government, will be considered by them REBELLION, and will amount to war. Without stopping to discuss or lament the calamities inseparable from war, in countries the best prepared for it, let us turn our eyes to the evils which will follow in its train, if carried on by a people so peculiarly situated as we are.

In old and populous countries, when war commences, the grog-shops, and the BROTHELS, are robbed of their tenants and frequenters, for among such clases are enlistments and impressments most frequently made. It has been truly said by the world renowned Jeremy Bentham, that in populous countries a war, at least every seven years, is essential to the quiet and happiness of the community, in order to get rid of those turbulent spirits, who, by their licentiousness and immorality, corrupt the rising generation, and by their factiousness sow the seeds of discord and commotion in the state. Not so in the infant and sparsely population of Texas. Happily for us we have none such, or, at least, not enough of such characters to fight our battles. When war commences with us all agricultural pursuits must be suspended. During its continuance the plough and the hoe must stop. And after this is done, but little can be accomplished. Experience every where, but more emphatically and more recently at home, has taught us that militia may do for a single battle, but cannot be counted on where long campaigning is necessary. Where protracted service is requisite, their insubordination and want of discipline are proverbial, and have eternally rendered them more formidable to themselves than their adversaries. We will refer, for proof, to the far-famed battles of Velasco and Nacogdoches — Of Velasco first—After that battle, when the troops were driven by *rain* to their encampment, imagining themselves badly whipped, and when to be whipped was certain ruin to their hopes and prospects, and when every principle of honor, and interest, and policy cried aloud for an immediate renewal of the attack on the fort, it was impossible to arrest, for a moment, the departure of [illegible]

In less than half an hour after reaching camp, one half of them set out for their homes, contrary to advice, to supplication, to remonstrance and to positive orders. As God would have it, however, the Mexicans likewise imagined themselves *whipped*, and hung out the flag of truce, under which the capitulation was made, which proved our salvation. Suppose for a moment, that the surrender of this garrison had not taken place, suppose that it had been reported and believed throughout the country that we had been defeated, who of us can contemplate without horror, the dismaying and destroying effect of such a state of things? In less than half a month despondency would have taken possession of every Anglo-American bosom, and perhaps half of our blacks would have been found in the ranks of the enemy. So much for the exploits of the militia at Velasco, on which so many proudly plume themselves. Let us now turn to Nacogdoches:—Between two and three hundred citizens, as we are informed, attacked that garrison—they kept up a regular fire from midday until night fall; at which time, believing if they were not themselves conquered, they had not conquered the enemy, most of them retired to their homes. Here again, luckily for the *citizen-soldiers*, the Mexicans considered themselves whipped, and under cover of the night abandoned Nacogdoches, and commenced a retreat towards San Antonio. In the morning those few of the Anglo-Americans who remained all night in the town discovered the retreat of the garrison and pursued. They overtook them at the Angelina, where the garrison surrendered to less than thirty Americans, which were all, however, that held out faithful to the end, or that could be coerced into any thing like subordination and obedience. These are the only two engagements we have had in Texas, (for at Anahuac nothing was done) and what glorious proofs do they exhibit of our disqualification for campaigning and regular warfare. But we are told that in a war we should have countless assistance from the United States of the North. To this I would answer in the words of LORD BYRON, which, with a little alteration, are well adapted to our present situation:

"Trust not for freedom to the Franks,
In Texas swords and Texas ranks,
The only hope of safety lies,"

If any assistance came to us from that quarter, it would principally consist of adventurous and aspiring young men, who would disdain any *service* beneath that of a commissioned officer. As long as our prospects continued bright they might remain with us; but should ill fortune betide us, having no permanent interest to enchain them, they would certainly depart. Should triumph and success attend our armies, we would hear of nothing for years, but some sort of Agrarian law to compensate their heroic services. But with me, the worst feature that presents itself in the contemplation of a war with the Mexicans is, the great length of time to which it will be protracted. It would not be indeed by one or two pitched battles, or by expelling from our borders, one or two, three, or four garrisons. It would be like their war with old Spain, continued for a period exceeding, perhaps, our natural lives. (Old Spain had not, we know, up to the death of Ferdinand, recognized the independence of Mexico. Since that truly welcome event, we are told, however, though not in an entirely authentic manner, that a formal recognition has been made by the Queen of Spain.) We are not so situated as to be able to carry the war into the enemy's country. If we drive off one or two garrisons this year, we may have to drive off the like number every year, to the "end of the chapter." During all of this time, it will be understood abroad that Texas is in a state of rebellion, and warfare with the Mexican Republic. Immigration would cease, or at least none that are calculated to advace the permanent interests of the country would come. This would be a state of things too sad to be contemplated with patience—nevertheless mournfully true.

In the above supposed case of a rupture with the government, we have been anticipating nothing on our part, but "going forth conquering and to conquer." Let us see with what means we expect to accomplish these great ends. According to the supposition, Texas, with an unorganized population of a few thousand, without even provisions enough at this moment to raise the present crop with, without arms, without money, without able commanders, and without a disciplined soldiery—is to defeat, and put to flight and shame an independent republic, with a population of eight millions. This looks but little like modesty of pretension! Rely upon it fellow-citizens, that most of these who now so strenously urge us to take such steps as would involve us with the goverment, are the young and enthusiastic, who have never experienced or reflected on the calamities of war; and who not being chained to the country by wives and children, and land, and other property, would, if things eventuated badly, depart in a moment with their ALL, and calmly look back from the other bank of the Sabine on the misery and ruin which their rash counsels and inefficient arms had brought upon us, who, on account of our families and possessions, could not get easily away. This may appear like a sweeping censure of the views of the present advisers of rash measures. It is applicable to most of them. Some there are, however, who are that way inclined, with the best and most honest intentions in the world. "I pray God to make them see the error of their ways before it be too late."

From this statement of the case it would SEEM, that while we are in the comfortable and prosperous situation we are now in, it would be worse than madness "to HUNT and and conjure up causes of difficulty. No! while the vessel [illegible] the storms. They who act thus rashly are rather repoached for their folly than pitied for their misfortunes." Yet, unprepared as we are for war, I would hazard all before I would recommend quiescence under oppression. North Americans never have, never can, never ought to submit to oppression. It would dihonor our birth, education, and native land; and the shades of our ancestors would look down upon us with reproach. "No! if we are unconstitutionally oppressed, let us at that moment resist, firmly relying that Heaven will GIVE, for the future as she has done in times past, 'courage to the hearts, and strength to to arms uplifted to defend man's natural rights.'"

I call the attention of the good people of the Jurisdiction of Brazoria to the subjoined extract from the valedictory address of Henry Smith, Ex Alcalde. Are we so illiberal, so devoid of principal, and justice as to permit one man to bear "the whole of the public burden." We ought to recollect that Henry Smith was brought out for the office of Alcalde without his approbation or knowledge, that the office was not a lucrative one, that he discharged the duties with ability and fidelity. How foolish, how ridiculous, how absurd it is to talk about organizing, &c. (which would be attended with expense) when we have not enough public spirit, and liberality, to pay the pitiful expenses of the municipality. Who is to pay the expenses that will attend the prosecution and trial of Stone? Is the present Alcalde to do it? There is certain duties incumbent upon us as members of this society—the discharge of which is essential to our well being. I trust that if no other cause will have effect, that shame alone will impell the good people to pay their portions of the public expense; which is pitiful indeed, if properly divided; but really oppressive if saddled upon a single individual.

"It is a fact well known to all, that this district has been recently organized, without revenue, or the means to raise it, other than taxation, and that some revenue must be required to defray the public expenses, all will admit. This ayuntamiento has, from time to time, made such levies as seem to them equitable, and sufficient to meet the current expenses of the year; these levies all remain uncollected—*the first dollar has not been yet received.* The inhabitants of this district have been notified several times by public advertisement to pay their taxes; these notices have been disregarded, and the taxes have not been promptly demanded or coerced, as was often urged

by that body; and the reasons are obvious to most of you—viz:—that, in as much, as I myself was the only sufferer, and circumstances over which I could possible have no control, rendered that course a very objectionable one to me, who, from my very nature, stand opposed to every thing like usurpation, or abuse of power, and as such, had much rather suffer inconveniences, in a pecuniary point of view, than be the means of creating discord and confusion in this district. It is true I am illy prepared to bear the whole of the public burden; under all the circumstances I chose that as the lesser evil. The subjoined account will shew the municipal expenses of the past year, so far as I have yet been able to ascertain them, a part of which has long since been paid, and the balance I stand individually bound for; all of which is now due. I would not be considered here as finding fault, or lodging complaints against the citizens of my district, for their seeming backwardness—the people of no country on earth would, I believe, be more ready and willing to contribute to the support of the government and laws, provided they were settled down on principles, intelligible, known and understood."

I understand (from rumour) that the indians have lately committed depredations upon our frontiers. I am not acquainted with the extent of the depredations, or any of the particulars, and would be glad to obtain an account from any person that is acquainted. If the indians require chastisement, we ought to give it to them promptly. Our fellow-citizens of the upper settlements will not find us backward in coming to their assistance, should we know of the necessity, but they must not be surprised at our not doing so, when we do not know the time of meeting, the place of rendezvous, or any thing in regard to the matter.

Mr. Editor:—The late John Austin informed me that the Political Chief had authorised S. M. Williams to pay, out of the State fees (for lands), the expenses incurred at Anahuac, and Velasco. If such is the fact, I think the patriotic who suffered by the ezpeditions against those forts, entitled to remuneration. Please to enquire of Mr. W. if such an arrangement was ever made.

Yours, &c. M.

Mr. Editor:—Permit me, through the medium of your columns, to put a few questions to the members of the bar:

1. What are the rights of a creditor who has obtained a "fieri facias?"

2. What are the duties of the officer who is to put the writ into execution?

3. Has the plaintiff the right of selecting that particular property on which the fieri facias is to be executed?

I am not averse to paying for advice, but as this is a matter of concern to a great many, I should like to see it publicly discussed and decided, so that the the sheriff may not err or hesitate in the performance of his duties; and that the debtor may avail himself of all the privileges which the law allows him. Certainly it is of little concern to the creditor out of what kind of property his money is made. Not so the debtor: The farmers of this country have seldom any other personal property, than the necessary household furniture, plantation tools, and such animals as the labours of husbandry require. They cannot well spare their beds, tools, kitchen furniture, nor that portion of their household furniture, without which their families can have but a comfortless existence. Would it not be cruel, if the debtor has any other kind of property to offer for sale, to compel him to bring such under the hammer? Humanity certainly claims the choice for the debtor. They have often a considerable property in land, often more than they can cultivate. This surplus is often the property, the deprivation of which will occasion the less distress. If any of the members of the bar will answer these questions, they will confer a favor on

A DEFENDANT IN EXECUTION.

THE DYING GLADIATOR.

This celebrated statue, which is now at Rome, has given rise to much discussion, and it is at least doubtful whether it bears its right name. It is thus described by Winkelman (vol. ii. p. 241, French ed.):—"It represents a man of toil, who has lived a laborious life, as we may see from the countenance, from one of the hands, which is genuine, and from the soles of the feet. He has a chord round his neck, which is knotted under the chin; he is lying on an oval buckler, on which we see a kind of broken horn*. The rest of Wilkelman's remarks are little to no purpose.

Pliny, in a long chapter of his thirty-forth book, wherein he enumerates most famous statuaries who worked in metal, mentions one called Ctesilus, who appears to have lived near, or shortly after, the time of Phidias. "He made," says Pliny, "a wounded man expiring (or fainting), and he succeeded in expressing exactly how much vitality still remained." It is possible that this bronze or metal figure may be the original of the marble figure now in Rome, to which we give the name of the Dying Gladiator. As far as we can judge from the attitude, the armour, the general character of the figure, and the deep expression of pain and intense agony; the whole composition may very possibly be intended to represent the death of one of those wretched beings, w' o were compelled to slaughter each other for the amusement of the Roman capital. The broken horn is, however, considered by some critics as an objection to this statue being a representation of a gladiator; the signal for the combat, they say, might be given with a horn, but what had the fighter to do with one? This seems to us a small objection. The presence of the horn does not necessarily imply that it belonged to the gladiator; it is a symbol, a kind of short-hand, which brings to recollection the crowed amphitheatre; the eager populace, the devoted victims, the signal for attack; and the sad contrast to all this is exhibited in the figure of a dying man. As to any difficulty that may be raised about the kind of armour; or the chord round the neck, this may be removed by considering that the Romans had gladiators from all countries, and that these men often fought with their native weapons, and after the fashion of their own country. The savage directors of these spectacles knew full well the feelings of animosity with which uncivilized nations are apt to regard one another, and they found no way so ready for exhibiting to the populace all the bloody circumstances of a real battle, as to match together people of different nations.

Whether this figure be that of a dying gladiator or not, it is pretty certain it will long retain the name, at least in the popular opinion in this country, as it has furnished the subject for some of the noblest lines that one of the first of modern poets ever penned:—

He leans upon his hand—his manly brow
Consents to death, but conquers agony,
And his droop'd head sinks gradually low—
And through his side the last drops, ebbing slow
From the red gash, fall heavy, one by one,
Like the first of a thunder-shower; and now
The arena swims around him—he is gone,
Ere ceased the inhuman shout which hail'd the wretch who won.

"He heard it, but he heeded not—his eyes
Were with his heart, and that was far away;
He recked not of the life he lost, nor prize,
But where his rude hut by the Danube lay,
There were his young babarians all at play,
There was their Dacian mother—he, their sire,
Butcher'd to make a Roman holiday—
All this rush'd with his blood.—Shall he expire,
And unrevenged?—Arise, ye Goth, and glut your ire!"

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*This horn, which was broken, has been restored, and that near the right hand is entirely modern.

THE TWO IMPEDIMENTS.

A rich buxom widow of a certain village in the state of Pennsylvania, became enamoured of a handsome young yankee pedlar, with whom she was in the habit of trading, whenever he chanced to go that road. Finding that all her modest hints to elicit a formal declaration from the travelling merchant had only been thrown away, she at last condescended to introduce the theme herself, and had the pleasure to hear him confess that he had long thought of the subject as one dearest to his heart; but there were only two impediments in the way of their mutual happiness, which she alone could remove. The delighted widow begged him to mention them, and pledged herself for their removal. "Alas, madam!" replied he, "when I name the first only, I fear that you will abandon me to despair." "Fear not, sir, but name it." "Know, then, loveliest of your sex! that I can never be happy with a wife, be her affections, virtues and accomplishments what they may, until I can make her mistress of a comfortable habitation, and am myself master of a retail store, the income of which will support her genteelly." The widow smiled sweetly—bid him name the necessary sum, and to call for it on a certain hour of a certain day, when she would expect to learn the nature of the only remaining obstacle to their union. The pedlar was punctual—received the money—and informed her that the other was nothing but—another WIFE.—N. Y. Mirror.

MORALS OF THE DAY.

A young nobleman of high fashion, about to enter on the matrimonial estate, was expressing the other day, to an eminent member of Crockford's, his apprehension of the length and seclusion of the honeymoon. "How the deuce," exclaimed his lordship, are we to get through the time?" "Make your wife play ECARTE with you," replied the man of the world, "and win her first year's pin money. You will then have the most submissive wife in London!"

A traveller on the continent, visited a celebrated cathedral, was shown by the Sacristan, among other marvels, a dirty opaque phial. After eyeing it some time the traveller said—"Do you call this a relic?" "Sir;" said the Sacristan, indignantly, "it contains some of the DARKNESS that Moses spread over the land of Egypt."

PORT OF BRAZORIA.

DEPARTURES,

Schooner Elizabeth, Jaques, for New-Orleans,
Do. Exert, Fuller, Do.

MARRIAGES.

At San Felipe, on the 31st of December last, ANDREW WESTALL to Miss —— HENRY.

In this place, on the —— ult. HENRY S. BROWN, 2nd Regidor, to MISS CAROLINE SCOTT.

In this place, on the 28th ult. T. F. L. PARROTT, M. D. to Mrs. E. E. AUSTIN.

OBITUARY.

Departed this life, at the residence of David H. Milburn, on the 9th of January last, BENJAMIN FOWLER, in the 74th year of his age. Mr. Fowler was a native of Virginia, and for the last twelve years a resident of Texas.

Of a pulmonary complaint, on the 2d inst. Mrs. SARAH WESTALL, relict of the late Thomas Westall.

Of the congestive fever, on the 9th inst. Miss EMILY MCNEEL, in the 16th year of her age.

"Flowers of fairest hue,
First fade away;
They live as roses do,
But for a day."

NOTICE.—All persons having professional business with me are requsted (should I be absent) to call on HENRY SMITH, who is authorised and empowered to act for me, and in my name.

I HAVE FOR SALE, A TRACT OF LAND, consisting a league and a half (upwards of 6,000 acres), which I will sell in quantities to suit purchasers. This land is well known, it being the same originally granted to George Huff, and by him sold to S. Sawyer. There is an improvement on the land, consisting of a dwelling house, &c. &c. and seventy acres under fence. I am desirous to get some person to cultivate the farm, for which I will make no charge.

JOHN A. WHARTON.

Brazoria, February 22, 1834-8tf

NOTICE.

Persons indebted to the subscriber, or the estate of John Austin, deceased, are requested to come forward, without delay, and settle, or they will find their accounts, &c. in the hands of an attorney for collection.

WILLIAM T. AUSTIN.

December 28.—6tf

OBSERVATIONS,
HISTORICAL, GEOGRAPHICAL AND DESCRIPTIVE;
IN A SERIES OF LETTERS ON
TEXAS,
BY MRS. MARY AUSTIN HOLLEY,

Just received and for sale by EDMUND. ANDREWS,
☞ Subscribers will please call for the copies subscribed for—
Price $1. December 28—6—3t

Notice.

THE Secretary of the Velasco Association has placed in my hands, for collection, all notes and accounts belonging to said Association. All persons indebted to said association are requested to make payment without delay, as no farther indulgence can be given.

JOHN A. WHARTON.

Brazoria, December 21, 1833.

DEPARTMENT OF BEXAR, } SS.
JURISDICTION OF BRAZORIA.

To the Creditors of the firm of Brigham & Richeson:

YOU are hereby notified that Asa Brigham, surviving partner of the firm of Brigham & Richeson, has filed a petition in my office, praying that a meeting of the firm be called, for the purpose of deliberating on the matters and things set forth in the showing of the petitioner, who prays the grant of a respite of 12 months, to be given him, for the payment of the debts of said firm: The creditors are therefore notified to appear at my office, on the 23d Feb. to deliberate on the prayer of the petitioner, or otherwise it will be granted.

EDWIN WALLER, Alcalde,
and Ex-oficio Notary Public.

Brazoria, January 22, 1834.—7-3t

JOB PRINTING DONE AT THIS OFFCIE.

POETRY.

SAVE DE UNION.

(To the Tune of Clear de Kitchen.)

A mighty angry quarrel rose
Among de Tarff's friends and foes,
And South Calina in a fit,
De Union vow to curse and quit.
But save de Union, old folks, young folks,
Old Virginny never tire.

Virginny love her sister State,
And most as much the Tariff hate;
But while the Tariff she dispise,
De Union very much she prize.
So says de Union, &c.

She send her son, Mas Watkins Leigh,
De South Calina folk to see,
To tell em just to wait a while,
And better times will on us smile,
To save de Union, &c.

The Tariff chief, name Henry Clay,
Who love his country much dey say,
Begins to fear its danger great,
And says I join my sisters State,
To save de Union, &c.

Calhoun, a great Calina man,
Abominate de Tariff plan;
But he too say, O yes 'tis right,
And Clay, let's me and you unite,
To save de Union, &c.

McDuffie too, when he see dat,
Off hand begin to smell de rat—
He say, no doubt Calhoun is wise,
And we must do what he advise,
To save de Union, &c.

Den all de folks in Congress Hall,
De ladies, gentlemens, and all,
All smile upon Calhoun and Clay,
And say well done, dat is de way
To save de Union, &c.

And when Calina hear de news,
She come into Virginny's views;
She smile upon Mas Watkins Leigh,
And say my Nullies all agree
To save de Union, &c.

"On a Lady, who, for the third time, prosecuted for a breach of Marriage promose.

"The tender heart of Julia-Ann
Has thrice been rent by cruel man,
And thrice took legal stiches,
But who can blame the tender maid,
That she should fly to legal aid
To help her mend the breeches?
For as the costly stuffs of old
Stick up the heart of Julia-Ann."

From the New-York Courier & Enquirer.

Let your light shine so before men, that they seeing your good works, may glorify your Father who is in Heaven.

"He boasteth himself that God is his Father."

JOHN COFFIN NAZRO,

INSTUCTOR OF PUBLIC ELOQUENCE,

Will give instruction in his Profession, with especial reference to the Philosophy of the human passions Terms. $6000 per annum; and will teach the perfect pronunciation of the Romaic or modern Greek language, and the reading of the best ancient and modern Poets, Orators, Philosophers and Historians.—Terms $250 per quarter.

Mr. Nazro deems it proper to state that he is of the family of Gen. Warren, of Bunker Hill, Gov. Belcher, of Massachusetts, under the crown, and Admiral Sir Isaac Coffin, of the Royal British Navy; further, that the relations of his family are, John Jay, Colonel Rutgers, Commodore Rodgers, Com. Chauncey, Com. Bainbridge, Col. Trask, of Springfield, Massachusetts, Gov. Poindexter, of Mississippi, the Rev. Dr. Nott, of Union College, Schenectady, the Rev. Dr. Ely, of Philadelphia, General Harrison of the Northwestern Army, and the Knickerbockers, the Beckmans, the Rutgers', the Clintons, and the Livingstons, of the state of New-York.

Mr. Nazro will furnish the very highest recommendations from the Round Head School, where he was professor at nineteen years of age, from Amherst College, from the Mount Pleasant Classical institution, Amherst, from Xavier de Modina, esq. consul-general of Colombia, from Havard University, and from the Female Seminary, Troy, N. York.

Mr. Nazro also considers it his duty to mention, and his glory to repeat, that, when at fourteen years of age, he was a candidate for a cadetship in the U. States Military Academy, West Point, he was honored with the highest recommendations from Gov. Clinton, Gen. Van Ranssalaer, hon. John J. Morgan, hon. Albert H. Tracy, Col. Hayne, General Swift, Gen. Brown, hon. Nathan Williams, Rev. Dr. Blatchford, hon. Saml. L. Southard, hon. C. C. Cambreleng, hon. Saml. L. Mitchell, Henry Remson, esq. John G. Warren, esq. Wm. H. Robinson, Gerardus Clark, esq. John G. Bogart, esq. Russian Consul, Henry Eckford, esq. George Hoffman, esq. professor of law in the Univerty of Maryland, hon. John Quincy Adams, president of the U. States of America, Gen. Jackson, president of the United States of America, and twenty members of Congress.

And none but abjects and fools, and blind and villians, and hypocrites and liars, have ever envied him, or injured him, or slandered him, or dared to take liberties with his name.

Mr. Nazro will enter into engagements with literary and theological institutjons at the rate of $3000 per annum: and would refer his enemies to the 2nd chapter of the Wisdom of Solomon.

Communications, post paid, can be made through the public post office.

"Therefore I will divide him a portion with the strong, and the prey of the terrible shall be delivered, for I will not contend with him that contendeth with thee, and I will feed them that oppress thee with their own blood."

"Let them that love thee be as the sun when he goeth forth in his strength."

JOHN COFFIN NAZRO,

INSTUCTOR OF BIBLICAL ELOQUENCE.

Will attend to his profession, with especial reference to the philosophy of the human passions—Terms, $100,000 per annum; and will teach the perfect pronunciation of the Romaic or modern Greek Language, and the reading of the best ancient and modern poets, orators, philosophers and historians.—Terms, $25,000 per quarter:—And will enter into engagements with literary and theological institutions.—Terms, $12,000 per annum.

Lord Chancellor Brougham is a rare fellow, and no British senator's parliamentary razor cuts keener than his.—The London correspondent of the Journal of Commerce mentions an instance of it. During the debate on the emancipation bill, the Duke of Wellington had proposed an amendment to the bill, which Brougham very earnestly opposed, and was remarking upon the absolute freedom of the slave, whenever he touched the British soil. The Duke of Cumberland took occasion, it seems, to LOOK FORTH seeming to heed him went on with his speech, till growing earnest, he repeated with great emphasis that a slave once landing in England was ever afterwards to all intents and purposes a free citizen; and if the King please, says his lordship, he may take his seat in this house with as much right as the Duke of Wellington, who is illustrious by his own deeds, or the Royal Duke (of Cumberland) *who is illustrious by courtesy.* His Royal Highness of Cumberland winced under this, as well he might, and called the lord chancellor to order. The lord chancellor, however, maintained his ground, and the duke had to march out of the house with a suffix that will carry him to his grave. He will never again be illustrious, but *by courtesy.*—Ibid.

CONVEYANCING & TRANSLATING.

HENRY AUSTIN

WILL draw and attend to the execution of DEEDS OF TRANSFER, in due form of law. He will also TRANSLATE SPANISH AND FRENCH DOCUMENTS, at the usual charges. Citizens wishing his services will in his absence from town, *please leave their notes of particulars with Mr. Edmund* Andrews, and they will be attended to promptly.

Brazoria, November 30, 1833.—2tf

FOR SALE,

FROM 4 TO 5000 ACRES FIRST RATE

Timbered LAND,

LYING on the Bernard, and extending westwardly across Casey creek. Said land is principally cane & peach; and the timber on it is of an unexceptionable quality. Terms and times of payment can be learned, by calling at the Law Office of Messrs. League & Ainsworth, Brazoria.

November 23, 1833—1tf

NOTICE.—All persons having claims against the successio n of William Arnold, dec'd. are requested to present them for paymet to John A. Wharton, esq. in Brazoria, without delay, as it is the wish of the administratrix to liquidate the debts of said succession immediately; and those indebted are requested to make payment to said attorney. MARTHA E. ARNOLD,

Brazoria, December 21.—5tf Administratrix.

PUBLIC NOTICE.—The Executors of Maurice Henry, deceased, have placed in my hands all notes and accounts due his succession, for collection. All persons indebted to said succession are requested to come forward and make payment by the first day of January, or suits will be immediately commenced.

JOHN A. WHARTON.

Brazoria, December 21, 1833-5-4t

New Goods.

THE subscribers inform their customers and the public generally, that they have just received, direct from New-Orleans, per schooners Sabine and Brazoria, an assortment of STAPLE and FANCY GOODS, GROCERIES, &c. &c. &c. which they offer on accommodating terms.

HOWTH & WILLIAMS.

N. B. Those persons whose accounts became due on the 1st of January are earnestly requested to come forward and settle the same, as early payment is indispensibly necessary.

Feb. 8, 1833.—7-3t H. & W.

Public Notice.

A PUBLIC SALE OF LOTS IN THE TOWN OF

OROZIMBO,

At the head of tide navigation on the Brazos River, Texas, will take place on the first Monday in May next. Terms made known on the day of sale.

Persons wishing to purchase previous to that time, for the purpose of immediate improvement, can be accommodated.

JAMES Æ. PHELPS, Proprietor.

Orozimbo, January 18 1834.—7tf

DEPARTMENT OF BEXAR, JURISDICTION OF BRAZORIA. } SS.

To the Creditors of the firm of Brigham & Richeson:

YOU are hereby notified that Asa Brigham, surviving partner of the firm of Brigham & Richeson, has filed a petition in my office, praying that a meeting of the firm be called, for the purpose of deliberating on the matters and things set forth in the showing of the petitioner, who prays the grant of a respite of 12 months, to be given him, for the payment of the debts of said firm. The creditors are therefore notified to appear at my office, on the 23d Feb. to deliberate on the prayer of the petitioner, or otherwise it will be granted.

EDWIN WALLER, Alcalde,
and Ex-oficio Notary Public.

Brazoria, January 22, 1834.—7-3t

DEPARTMENT OF BEXAR, JURISDICTION OF BRAZORIA. } SS.

THE Creditors of A. G. Reynolds are notified to appear before me, at my office, on the 2nd day of March next, for the purpose of holding an election for syndics.

EDWIN WALLER, Alcalde,
and Ex-oficio Notary Public.

Brazoria, January 29, 1834.—7-4t

NOTICE.

ALL persons are hereby warned not to purchase a promisory note, signed by myself and J. S. D. Byrom, for eight hundred dollars, dated the 16th of December, 1833, and due about the 1st of January, 1835, payable to P. R. Splane. The consideration of the above note has failed, and I am determined not to

Brazoria, Feb. 6, 1834-7-3t SYLVESTER BOWEN.

Notice.

ALL persons having claims against the Estate of JOHN AUSTIN, DECEASED, are particularly requested to present them to the undersigned, within the time prescribed by law, or they will be barred, as we are determined to close the affairs of the estate as soon as possible. Those indebted will save costs by making immediate payment.

WILLIAM T. AUSTIN, ADM'R.
ELIZABETH E. AUSTIN, ADM'X.
of the Estate of John Austin deceased

Brazoria, November 30, 1833.—2tf

SALT.

THE undersigned having leased the VELASCO SALT WORKS, designs carrying them on in such a manner as to be enabled to supply the country with salt; persons wishing a supply can be accommodated on application to A. G. & R. MILLS, Brazoria, or the undersigned in Velasco.

SILAS DINSMORE, JR.

Velasco, November 21, 1833.—2tf

NOTICE.

THE Administrators of the Estate of Beverly A. Porter, deceased, have placed in my hands the notes and accounts belonging to said estate, for collection—All persons indebted to said estate are hereby notified, if they do not come forward and settle the same; that suits will be instituted without delay.

JOHN A. WHARTON.

Brazoria, December 21, 1833.-5-t

NOTICE.—All persons having claims against the estate of Henry Munson, deceased, are notified to present them to my agent, John A Wharton, esq, in the town of Brazoria, for adjustment; and those indebted to said estate to make payment to him. NANCY B. MUNSON,

Brazoria, December 21, 1833.-5-4t Admr'x.

NOTICE.

THE Executor of the estate of C. G. Cox, deceased, has placed in my hands all notes and accounts belonging to said succesion, for collection, with instructions to make them by suit or otherwise, without delay. All persons indebted to that estate will immediately come forward and settle the same, or they will be coerced by law. JOHN A. WHARTON.

Brazoria, December 21, 1833-5-4t

ADMINISTRATOR'S NOTICE.—All persons indebted to the estates of Josiah F. and Frances R. Hamilton, deceased, are requested to make immediate payment to the undersigned.—And those having claims against said estates are requested to present them duly authenticated, within the time prescribed by law. WM. J. RUSSELL, Adm'r.

Brazoria, Nov. 18, 1833.—1tf.

Austin & his imprisonment

EXTRA.

BRAZORIA, WEDNESDAY, MARCH 27, 1834.

The present EXTRA closes the career of the "ADVOCATE," until the return of Oliver H. Allen, the Editor, who is now absent in the U. S. of the North, and expected to return in the next vessel.

Since this paper has been under my charge, I have endeavored to render it as useful & as acceptable to the people as my best exertions could make it: in doing of this I have sacrificed personal interests and convenience—both of which I am at all times ready to offer up at the altar of the public good·— The public on their part have refused that support necessary to secure the existence of this paper—and it is this consideration that makes me view its discontinuance with frigid indifference. If, in their opinion, it is best to have no Press—no "Advocate of the People's Rights"—no friend and supporter of laws, and good order; if it is best to be led astray by every popular commotion—to be the dupes and victims of every factious demagogue—to be kept in a state of tot l ignorance:—Be it so. To that opinion, however reluctant, I am compelled to submit· I will not pain myself by contemplating the intermediate horrors, and final despotism that must result from such accumulated evils: "sufficient for the day, is the evil thereof."

———

This Extra contains the proposals of Messrs. B F. Cage and ... n C Gray, to publish a new paper, to be entitled "THE ... HG... T." I do most sincerely wish the gentlemen may ... encouragement, not alone on their own account, but ... on account of the general benefit that must arise from a press ... conducted. From my knowledge of the gentlemen, I take pleasure in recommending them to the public as worthy of patronage. Mr Cage is a young man of talents and firmness, ... in whose hands the press is not likely to become ... Mr Gray is a Printer, he is very strongly recom... and favorably known as the former foreman of the New ... Commercial Bulletin They have adopted the right plan ... patronage, they require no money in advance, so ... though the subscribers loose nothing. One principal ... patronizing a paper is, that country subscribers ... receive their numbers, this will be obviated as it is ... employ an express to carry it to all the principal ... Every good citizen ought to feel it a part of his ... to patronize a paper. The advantages which ... well conducted are immense. I consider ... and uncorrupted, as the advocate of the people ... opposition to their oppressors as the advocate of ... and knowledge in opposition to ignorance, despo... Citizens of Texas! have you not already en... Will you longer permit your rights to be tram... determined to drain to the very dregs the bit... Arise! shake off the lethargy which has ... give evidence that you are determined to protect ... rights how can you better do it than by patronising the press, and supporting the labourers in your cause. Truly we walk on fires covered by deceitful ashes? Do you not see that the times are big with fearful events? Do you not know that every thing that is dear to you is now at hazard, and "covered with doubt and uncertainty." Contemplate for a moment our situation should we be deprived of the benefits of a press, would we not be in a state of total darkness? Would we not become the sport of every popular commotion? the dupes and victims of every factious demagogue? the servile slaves of oppressors? History proves that the moment the press is prostrated liberty expires In such a state of things how fearful will be the interval of anarchy? how fierce the alternate pangs of rage and terror? till one party shall destroy the other and a gloomy despotism terminate the struggles of conflicting factions.

———

THE PEOPLE VS. STONE.—The trial of Stone, charged with the murder of Euart, came on, on the 10th inst. Notwithstanding there were some things attending the trial that I condemned, yet take it all in all I hail it as a glorious triumph, a triumph of law and justice over ignorance and prejudice. Nothing can more strongly depict our lamentable situation, than the fact that Stone was forced into trial without his witnesses, when they had been duly subpoenaed, and were, in the jurisdiction of the court, (however the judicial arm rescued the defendant from injustice, and the character of our court from an indellible stain.) What would have been the impression on the public mind, had the defendant been condemned to death with his witnesses unheard, though duly subpoenaed, and within the jurisdiction of the court. Would there still be recourse to the laws, and to the justice of the country?— Would the passions of the citizen in a moment of frenzy, be calmed by looking forward to the decision of courts of law for justice? Rather every citizen would become the avenger of his own wrongs—violence would be repaid with violence—havoc would produce havoc, and instead of a peaceable recurrence to the tribunals of justice, the spectre of civil discord would be seen stalking through our land, scattering desolation, misery and crimes." I am not now pleading in behalf of the defendant, but rather in behalf of those immutable principles of law and justice, that cannot be violated without causing ruin and oppression, and I contend that the hanging of the defendant, under such circumstances, would have been repugnant to every feeling of humanity, every dictate of reason, every sentiment of justice and every principle of law. I deprecate the establishment of such a precedent as a curse in its effects more direful than pestilence, more destructive than famine, and more to be dreaded than war,. I deprecate it as a curse more terrible and awful than any calamity that could befall the land. For it would shew that justice, which I had fondly hoped was co-extensive with creation and would be co-eternal with time, has no resting place here; for it would shew every thing like law trampled under foot, for it would shew the holy right of trial by jury was made a mockery of, for it would shew that sacrilegious persons had broke into the temple of justice, and defiled her altars with innocent blood. I say innocent blood, for every man in the eye of the law is deemed to be innocent, until the contrary appears on a fair trial, and what fairness could there be in a trial, when the defendants witnesses were unheard. If the defendants crimes were more numerous than the stars in the *Heavens*, if they were blacker than midnight, if he was a monster of iniquity, on such a trial as he had, such a mockery of a trial, a trial where he did not have a witness present, justice would plead like angels trumpet tongued, against the deep damnation of his taking off."

———

THE STEAM BOAT.—I received a letter from Mr. Sturdevant, (the gentleman whom we despatched to the United States, to superintend the building of the boat) in which he informs me that Mr. Gregory, of New-Orleans, has given him letters of credit, and that he should proceed immediately to build the boat. We have a fair prospect of having a steam boat in the waters of the Brazos by the middle of next summer. Too much credit cannot be given to our enterprising fellow-citizen, S. M. Williams, for his exertions in this matter. I am requested to call a meeting of the Stockholders, on the 13th of April next, in this place, and authorised to say that the following gentlemen will be supported for Directors. S. M. Williams, David Randon, Walter C. White, Asa Mitchell, Robert Mills.

———

I lay before my readers the following extract from a letter which I received by the last mail from Col. Thomas J. Chambers. I am truly pleased to learn that Col Chambers is actively engaged at the seat of government of this state, in promoting the general interest of Texas, and I confidently hope that we will receive much benefit at his hands. I am proud to learn that Col. Chambers has been appointed Assessor General (Counsellor General) of this state, and I hope that we will extend the sphere of his usefulness by choosing him for our next representative:

MONCLOVA, 19th January 1834.

Dear Sir:—The republican party has gained a lasting triumph over their opponents, whose aim was to destroy the present form of government, and who were the natural enemies of the republican North American. And the consequence for us has been, that the 11th article of the law of the 6th of April has been repealed, and they are again permitted to emigrate to Texas; and the Colonist is permitted to introduce every species of effects for his own consumption free of duty for seven years after his establishment,

Many changes have taken place also in the government in this state, both in regard to persons who fill the different offices, and their sentiments towards the people of Texas. When I arrived here prejudice ran high against us, and the government paper teemed with abuses against the colonists. Now nothing is found in it about that country but the communications of "A Texican;" who defends them with boldness, and will continue to do so, until the government is made fully acquainted with their true situation, and the abuses that have been heaped upon them. I am doubly happy in the belief that I have been partly instrumental in producing this auspicious change and shall not fail to continue my labors.

The present governor, D. Francisco Vidaurri, distinguished alike for his intelligence and the liberality of his principles, is decidedly a friend of the colonists in Texas, and will protect them in their rights. A large majority of the members of the present congress, are also openly in favor of conceding every thing to Texas, which it has a right to claim of them as the representatives of the state. But they say "we have heard of much disturbance in that quarter, and many complaints; but we never have been able to learn precisely what it is the people complain of, or what they want; no representations have reached us, in which they have specified their grievances, and stated their desires, and how is it possible we could attend to them? Where are their representatives and what have they demanded in congress? The colonists sent a man from among themselves who spoke language, what did he ask for them? Nothing. What did he present in congress for their benefit? None. It is also affirmed by a former member of congress that he permitted a law to be passed prohibiting foreigners from retailing goods by purposely being absent.

I have been invited to aid them in forming such laws as may be deemed beneficial to Texas; and I am now actually engaged in drawing up a project for the establishment of the trial by jury in Texas; which I have no doubt will pass in some shape or other; and I shall endeavor to obtain the passage of a provision to legalise transactions done in the English language. This will be followed by a project for the reformation of the law of colonization, so as to simplify and facilitate the acquisition of lands by the new settlers, and I shall urge the insertion of a provision, ratifying the titles already granted to the old settlers, and securing to them their rights more fully, according to the laws under which they settled; and, also, another to despatch without delay the titles of the settlers on the eastern frontier, according to the laws in force at the time they settled. I am also of opinion that the regulation of the malitia will will be attended to, so as to provide the means of protecting the frontier; for the present governor has recommended the general government not to send troops to Texas.

I recommend most earnestly to the people of Texas, *union and moderation*; they are the pillars upon which its prosperity, and even its existence depend.

I have the honor to be, dear sir,
Your friend and most ob't serv't,
T. J. CHAMBERS.

———

This Extra is published, for the sole purpose of laying before the public the following letter from Col. Austin. I would not have prefaced it with a single remark—but in as much as I have heretofore expressed myself condemnatory of the course pursued by him; it is right that I should do him all manner of justice, now that he has changed that course.— Some have thought that my remarks were prompted by personal feelings. this was not the case, they were such as I would have made against my best friend under similar circumstances, I deprecated the course recommended by him, I confined myself to his conduct as a public agent, and viewing it as I did I could not speak of it in approving terms. But now that he has changed, or rather given different advice (for such I view it) I am bound to approve, and I hope that he will soon be with us giving all the weight he can to his advice, by his example, his influence and his immediate presence. The Col. will find in me a firm supporter, so long as he continues a true friend to Texas, and looks with a *single eye* to the promotion of her prosperity; but should he be actuated by an inordinate ambition for wealth and power should he be disposed to sacrifice the interest of thousands to promote his own private views, he will find in me,–though there be no Cassius to instigate, a Brutus with an arm uplifted against him.

I abominate the idea of making a "territory of Texas," we have too long laboured under manifold grievances and oppressions, and now we wish to grasp, but not rashly, the substantial benefits arising from a state government. But let us put up with a territory in preference to rebellion; we have encountered too many privations, toils, fatigues, hardships and dangers, to permit the cup of happiness now full before us, now within our grasp, to be dashed untasted from our lips. We are now in the peaceable and quiet possession of a "Heaven blessed country, "a jewel beyond all price," and if, by our rashness and folly we become dispossessed of it we will find that we have, "like the base Judean thrown a pearl away richer than all our tribe."

MONTERRY, Jan. 17, 1834.

To the Ayuntamiento of San Felipe, de Austin:

I have been arrested by an order from the manister of war, and leave soon for Mexico to answer to a charge made against me, as I understand, for writing an officio to the Ayuntamiento of Texas, dated 2d October last, advising, or rather recommending that they should consult amongst themselves for the purpose of organising a local government for Texas, in the event that no remedies could be obtained for the evils that threatened that county with ruin.

I do not in any manner blame the government for arresting me, and I particularly request that there may be no excitement about it.

I give the advice to the people there, that I have always given, keep quiet, discountenance all revolutionary measures or men, obey the state authorities and laws so long as you are attached to. Coah have no more conventions, petition through the channels, that is through the ...

of department, harmonise fully with the people of Bexar and Goliad, and act with them.

The general government are disposed to do every thing for Texas that can be done to promote its prosperity and welfare that is consistent with the constitution and laws, and I have no doubt the state government will do the same if they are applied to in a proper manner.

It will be remembered that I went to Mexico as a public agent with specific instructions, and as such, that it was my duty to be governed by them, and by the general wish of the people as expressed to me.—Also, that when I left in April, the general wish did express itself for the separation from Coahuila and the forming of Texas into a state of this confederation. Also, that there was a determination to organize a local government at all hazards, if no remedy could be obtained.

I have in all my acts conformed to this public wish of the people, so far as I was informed of it, and when I despaired of obtaining any remedy, as I did the beginning of October, I deemed it to be my duty as an agent, to inform the people so; and believing as I did, that that they would organise, I also considered that it would be much better to do so, by a harmonious consultation of the Ayuntamiento, than by a popular commotion. There were my reasons for the recommendation given in that officio; also, the result of the civil war was thought to be doubtful.

I understand, and I rejoice to hear it, that public opinion has settled down on a more reasonable basis, and that the most of the Ayuntamientos of Texas have expressed their wish to proceed in a legal manner to seek redress. I ought to have been informed of this change, but I was not, and knew nothing of it to a certainty, until the 5th of November, so that up to that time I acted under the impressions I had when I left Texas in April. Since then I have not moved the state question.

The past events in Texas necessarily grew out of the revolution of Jalappa, which overturned the constitution and produced the counter revolution of Vera Cruz, which extended over the whole country, and involved Texas with the rest. It is well known that it was my wish to keep Texas and particularly the colony, out of all revolution, and I tryed to do so, but the flame broke out in my absence from Texas, in June 1832, and since then all has been completely disjointed. A current was set in motion by the general events of the civil war all over the nation, and under the circumstances, Texas could not avoid being agitated by it. No one can be blamed in any manner for what has happened since June 1832 in Texas—it was inevitable—neither was it possible for me to avoid being drawn into the whirlpool. It was my duty to serve the country as an agent if requested to do so; and as an agent it was my duty to obey my instructions as expressed to me.

I have long since informed the Ayuntamiento of Texas of the repeal of the law of April 1830, and of the favorable and friendly disposition of the government, and by this, I of course rescinded, or annulled the recommendation of 2d October, for that was predicated on the belief that nothing would be done, and that the result of the civil war then pending was even doubtful, since then all has changed for the better, and public opinion in Texas has become sound, and shaken off the excitement that necessarily grew out of the past aggitations.

Under these circumstances the prospects of Texas are better than they ever have been. The national revolution is ended, a constitutional government exists, the people are obedient to the government and laws, every where. Be the same in Texas, and have no more excitements, tolerate no more violent measures, and you will prosper and obtain from the government, all that reasonable men ought to ask for.

The last year has been one of calamities for Texas, floods, pestilence, and commotions, I hope the present year will be more favorable. I request that you will have this letter published for general information, and also the enclosed copy of the answer given to me by his Excellency the minister of relations. You will see by this answer the very favorable and friendly disposition of the general government to make a state or a territory of Texas, and do every thing else within its constitutional powers for the good of that country.

I consider my agency for Texas as terminated, but this will not prevent me from doing all I can for the good of that country, on my own individual responsibility.

Respectfully your most ob't serv't.

STEPHEN F. AUSTIN.

OFFICE OF THE PRINCIPAL SECRETARY OF STATE,
Department of the Interior.

The petition which the colonists of Texas have directed to the general congress, praying that that part of the Mexican territory might be erected into a state, absolutely independent of Coahuila, was passed to the Chamber of Deputies on the 21st of August last, with a recommendation to that body of the importance of promptitude in the despatch of this business. It has been thus made known to you in this office; and you have been informed of the measures which the government has taken in courtesy to that colony. Among other things it has urged in the government of the of procure for the colonists all those enjoyments, to which, without doubt every Mexican citizen is entitled, as will in civil as in criminal matters, and to has said these measures have been indicated, which ought to be put in practice for the most correct and expedient administration of justice in each branch; one of them being the establishment of the trial by jury, all in conformity with the government to do more, because it was not within its attributes. As touching what congress has done, you are already in possession of the law, which it has thought proper to pass, abragating the 11th article of the law of the 6th April 1830, and this repeal is not to begin to take effect until six months from its publication. His Excellency the President has ordered me to make this communication to you, because, charged as you are to promote the favorable termination of the memorials of the colonists, you can instruct them of the result which has taken place up to this time; and being of opinion that the supreme government is disposed to favor all that he may say in relation to the prosperity of that colony; and to expedite the administration of justice: you can assure them that he will protect them, and employ all his influence in favor of this important object; and consequently they should continue to promote all those improvements and reforms, necessary or conducive to forming Texas into a state or territory of the federation, and to ensure in a great degree the good order of its interior administration; so much of the other prayers of the Colonists as relates to the establishment of mails and the extinction of duties from some articles, has been passed to the Secretary of the Treasury, and by him you should be instructed of the resolution of the government, in the same manner that they have been informed by this ministry of the state of this matter.—God and liberty.

Mexico December 7, 1833.

PROPOSALS

FOR PUBLISHING IN THE TOWN OF BRAZORIA,

A WEEKLY NEWSPAPER, TO BE ENTITLED

THE EMIGRANT.

"Incedimus per ignes, suppositos cineri doloso."

"We tread on fires which are merely covered by deceitful ashes."

The beneficial effects of the PRESS have been felt and acknowledged in almost every corner of the GLOBE; perhaps in no section is it calculated to render more immediate, important and permanent service than in Texas. Destitute as we are at the present moment of any public channel of communication, scattered and acting without concert, with doubt and uncertainty hanging over every thing that is dear to us, a press devoted solely to the public cause must be a desideratum.

The undersigned propose publishing a paper which shall be devoted to the true interests of the country, without regard to persons or parties. They will endeavor to make their paper the staunch friend and firm supporter of the laws, and good order,—useful to the citizens of Texas by conveying the earliest information on all important matters of general concern, by protecting and preserving their rights from the aggressions of every invader—It will be chiefly devoted to agriculture, and to giving such information in regard to this country as will be interesting to those disposed to immigrate.—The difficulty of distributing the paper will be obviated, as they intend to employ an express to carry it to all the principal points.—Payment will not be required in advance, and the paper will not be started unless they meet with sufficient encouragement.

TERMS:—Five dollars per annum, payable at the expiration of six months, or seven dollars at the end of the year—Advertisements at the usual rates.

BENJ. FRANKLIN CAGE,
FRANKLIN C. GRAY.

Notice.

PURSUANT to an order from the honorable the Alcalde for the jurisdiction of Brazoria, will be sold, in the town of Brazoria, on Thursday the 24th day of April next, all the real estate belonging to the succession of D. W. Anthony, deceased, consisting of land, and lots in the town of Brazoria. Particulars made known on the day of sale, a credit of four months will be given, by the purchaser giving bond with approved security, and a lein on the property until final payment.

March 25. T. F. L. PARROTT.

MRS. JANE H. LONG takes this method of returning her unfeigned thanks to the citizens of Brazoria and its vicinity, for the very liberal patronage bestowed upon her during the two years of her keeping a public house in Brazoria, and informs them that she has retired from business—*Mr.* M. W. Smith having purchased the entire concern and being aided by Mr. and Mrs. Stephenson, she has no hesitation in recommending them to the public, and feels well assured that with ample means and strict attention to business, they will be well prepared to accommodate and please; and she hopes that they may shre a liberal portion of public patronage.

March 22.

CASH STORE—The subscriber having purchased the stock of goods lately owned by Messrs. Howth & Williams, will continue to do business in the house formerly occupied by them. He will sell goods unusually low for cash or peltry—and hopes by attention to business to gain a share of public patronage.

R. STEVENSON.

P. S.—50 sacks N. Orleans Corn, 13 bbls fresh flour, 5 do. old whiskey—Just received per schooner Manilla.

March 27.

GODWIN BROWN COTTEN will practice law in the different courts of Austin's Colony. He feels himself as capable as many others who are now EXERCISING the profession. His residence is in Brazoria, and he will promptly attend to his business.

THE Administrators of the Estate of Beverly A. Porter, deceased, have placed in my hands the notes and accounts belonging to said estate, for collection—All persons indebted to said estate are hereby notified, if they do not come forward and settle the same, that suits will be instituted without delay.

JOHN A. WHARTON.

New Goods.

THE subscribers inform their customers and the public generally, that they have just received, direct from New-Orleans, per schooners Sabine and Brazoria, an assortment of STAPLE and FANCY GOODS, GROCERIES, &c. &c. &c. which they offer on accommodating terms.

HOWTH & WILLIAMS.

N. B. Those persons whose accounts became due on the 1st of January are earnestly requested to come forward and settle the same, as early payment is indispensibly necessary.

Feb. 8, 1833.—7-3t H. & W.

Public Notice.

A PUBLIC SALE OF LOTS IN THE TOWN OF

OROZIMBO,

At the head of tide navigation on the Brazos River, Texas, will take place on the first Monday in May next. Terms made known on the day of sale.

Persons wishing to purchase previous to that time, for the purpose of immediate improvement, can be accommodated.

JAMES Æ. PHELPS, Proprietor.

Orozimbo, January 18 1834.—7tf

OBSERVATIONS.

HISTORICAL, GEOGRAPHICAL AND DESCRIPTIVE

IN A SERIES OF LETTERS ON

TEXAS,

BY MRS. MARY AUSTIN HOLLEY,

Just received and for sale by EDMUND ANDREWS,

☞Subscribers will please call for the copies subscribed for—Price $1. December 28—6—3t

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THE Secretary of the Velasco Association has placed in my hands, for collection, all notes and accounts belonging to said Association. All persons indebted to said association are requested to make payment without delay, as no farther indulgence can be given. JOHN A. WHARTON.

Brazoria, December 21, 1833.

I HAVE FOR SALE, A TRACT OF LAND, consisting of a league and a half (upwards of 6,600 acres), which I will sell in quantities to suit purchasers. This land is well known, it being the same originally granted to George Huff, and by him sold to S. Sawyer. There is an improvement on the land, consisting of a dwelling house, &c. &c and seventy acres under fence I am desirous to get some person to culuvate the farm, for which I will make no charge.

JOHN A. WHARTON.

Brazoria, February 22, 1834-8tf

NOTICE.

ALL persons indebted to the subscriber, or the estate of John Austin, deceased, are requested to come forward, without delay, and settle, or they will find their accounts, &c. in the hands of an attorney for collection.

WILLIAM T. AUSTIN.

December 28.—6tf

NOTICE.

THE Executor of the estate of C. G. Cox, deceased, has placed in my hands all notes and accounts belonging to said succesion, for collection, with instructions to make them by suit or otherwise, without delay. All persons indebted to that estate will immediately come forward and settle the same, or they will be coerced by law. JOHN A. WHARTON.

Brazoria, December 21, 1833-5-4t

Notice.

ALL persons having claims against the Estate of JOHN AUSTIN, DECEASED, are particularly requested to present them to the undersigned, within the time prescribed by law, or they will be barred, as we are determined to close the affairs of the estate as soon as possible. Those indebted will save costs by making immediate payment.

WILLIAM T. AUSTIN, ADM'R.
ELIZABETH E. AUSTIN, ADM'X.
of the Estate of John Austin deceased

Brazoria, November 30,1833.—2tf

SALT.

THE undersigned having leased the VELASCO SALT WORKS, designs carrying them on in such a manner as to be enabled to supply the country with salt, persons wishing a supply can be accommodated on application to A. G. & R. MILLS, Brazoria, or the undersigned in Velasco.

SILAS DINSMORE, JR.

Velasco, November 21, 1833.—2tf

For Sale,

NEW French, English and Italian Goods,
School Books, Histories, and
Miscellaneous Books;

Now opening in the corner room of Mr. Eckle's new building, Fifth and River streets. The above articles will be offered low for cash.

—ALSO—a very fine toned

Piano Forte.

H. B. STRATTON.

Brazoria, March 17—2t

Notice.

ABOUT the first of January last a box of Books was landed at this port, from the sch'r. Empress, Thompson, master, directed to "Rev. Sumner Bacon, care of John Overton, Brazoria, Texas." Said Box is in the possession of Asa Brigham, who desires the owner to receive the property and pay charges.